

E-Filed 11/23/05

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CENTER FOR BIOLOGICAL DIVERSITY, et al.,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, et al.,

Defendants.

Case Number C 04-4736 JF

ORDER¹ DENYING PLAINTIFFS'
REQUEST FOR CLARIFICATION OF
COURT'S OCTOBER 28, 2005
ORDER

[Docket No. 113]

On November 15, 2005, Plaintiffs Center for Biological Diversity and California Native Plant Society filed an administrative request for clarification of the Court's interim order dated October 28, 2005, pursuant to Civil Local Rule 7-11. Defendants oppose Plaintiffs' request on the ground that it is not in fact an administrative request, but rather a motion for substantive relief. The Court agrees with Defendants that Plaintiffs seek substantive relief. Accordingly, the Court will deny Plaintiffs' request without prejudice to a properly noticed motion to enforce

¹ This disposition is not designated for publication and may not be cited.

1 compliance with the Court's interim order dated October 28, 2005.

2 IT IS SO ORDERED.

3
4
5 DATED: November 23, 2005

6
7
8 /s/ electronic signature authorized
9 JEREMY FOGEL
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 This Order has been served upon the following persons:

2 Michael Richard Eitel michael.eitel@usdoj.gov, wanda.davis@usdoj.gov

3 Michael W. Graf mwgraf@aol.com,

4 Brian Litmans litmans@worldnet.att.net

5 Paul Andrew Turcke pat@msbtlaw.com